IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

Crl.Rev.Pet.No. 4173 of 2007()

C.C. NO. 455 OF 2004 OF THE J.F.C.M. II, (MOBILE), KOTTAYAM
CRA. NO. 266 OF 2005 OF ADDL. SESSIONS COURT, FAST TRACK COURT, (ADHOC) II, KOTTAYAM

REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED:

UNNIKRISHNAN,
PUTHETTU VEEDU, VAZHAPPALLY P.O., CHANGANACHERRY-3

BY ADV. SRI.M.P.MADHAVANKUTTY

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE:

---

1. A.R. KISHORE KUMAR,
AYKARAPUTHENPRAYIL VEEDU, PERUNNA EAST,
CHANGANACHERRY.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. C.M. NAZAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

* * * * * * * * * * * * * * * * * * * *

Crl.R.P. No.4173 of 2007

* * * * * * * * * * * * * * * * * * * *

Dated: 21-11-2007

ORDER

The accused in C.C. No. 455 of 2004 on th**e file** of the J.F.C.M - II, Changanassery for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12318 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.